

# FARMINGTON CITY PLANNING COMMISSION

Thursday, October 13, 2005

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## PLANNING COMMISSION REGULAR SESSION

**Present:** Chairman Cory Ritz, Commission Members Keith Klundt, Annie Hedberg, Paul Barker, Kevin Poff, Cindy Roybal, and Jim Talbot, City Planner David Petersen, and Recording Secretary Jill Hedberg. Paul Barker was excused.

**Chairman Ritz** called the meeting to order at 5:30 P.M. **Jim Talbot** offered the invocation.

## APPROVAL OF MINUTES

**Cindy Roybal** moved that the Planning Commission approve the minutes of the September 29, 2005, Planning Commission Meeting. **Annie Hedberg** seconded the motion with changes as noted. The Commission voted unanimously in favor. **Jim Talbot** abstained due to his absence at the previous meeting.

## CITY COUNCIL REPORT

**David Petersen** reported the proceedings of the City Council meeting which was held on October 5, 2005. He covered the following items:

- The City Council created a sub-committee to consider the zoning ordinance amendment process during the moratorium which was placed on the CMU area north of Lagoon.
- The City Council granted Schematic Plan approval for the northerly phase of the Farmington Crossing development.
- The City Council approved an Ordinance rezoning the property located at 275 South 1100 West from "A" to "AE" and a related Agreement.
- The City Council granted Schematic Plan approval for a subdivision located on the Guenter Popp property at 200 South 200 East. They agreed to have the Steed rock home moved to another location.
- The City Council denied Merrill Laws' proposal to exchange a trail right of way for the approval of two flag lots. They agreed to meet with Mr. Law to consider the possibility of developing a Planned Unit Development.
- The City Council approved a Resolution to accept for study an Annexation Petition submitted by Pacific Avenue, LLC, pertaining to the proposed annexation of 16.29 acres south of 1470 South Street.

**JERRY PRESTON - APPLICANT IS REQUESTING PRELIMINARY PLAT APPROVAL FOR PHASE 2 AND 3 OF THE RICE FARMS ESTATES PUD CONSISTING OF 28 LOTS ON 8.011 ACRES LOCATED AT APPROXIMATELY 750 SOUTH FRONTAGE ROAD IN AN LR (PUD) ZONE (S-25-05) (Agenda Item #3)**

### **Background Information**

The City Council voted on August 3, 2005, to rezone 32.3 acres of property located at 50 West 700 South to “LR (PUD)” and to grant schematic development plan approval subject to several conditions including:

1. Existing and propose utility system plan including easements for electricity, natural gas, and telephone, etc.
2. A landscaping plan indicating the treatment of materials used for private and common open spaces.

It is acceptable to approve the preliminary plat for phases 1-3. However, the issue with access off 200 East must be resolved before any additional phases can receive preliminary plat approval.

The soils report has been submitted by the developer. There were no problems with peat identified. If plans change and basements are proposed, subsurface drainage will be required.

The developer is in negotiations with the City about placing a regional detention basin across the frontage road which could handle all the storm runoff from this development. However, the on-site detention, as shown on the plat, is acceptable for the first three phases.

All land in these phases will be common area under the jurisdiction of a Home Owners’ Association except the footprint of the building envelopes, which will be privately owned. The retention areas are meant to be open space for the enjoyment of the residents and will be maintained by an HOA.

END OF PACKET MATERIAL.

**David Petersen** said adequate mailing notices were sent to nearby property owners. He displayed a Development Plan for the entire Rice property, although only a portion of the property was being considered. Mr. Preston did not request a bonus and he was in compliance with the PUD requirements. The smaller units would be located near the Frontage Road. He displayed the Preliminary Plat and reviewed the suggested motion. Mr. Preston would need to contact the County to determine if a flood control permit was needed since Steed Creek is near the property. Mr. Petersen recommended Preliminary Plat approval.

### **Public Hearing**

**Chairman Ritz** opened the meeting to a public hearing and invited the applicant to address the Commission.

**Jerry Preston** said he had worked with CRS on the design. All negotiations were progressing in a positive manner. The property had peat moss in Phase 4.

**Jim Talbot** said if a permit was not needed, the applicant should obtain a letter from the County stating the property is not located in a flood zone.

**Keith Klundt** asked if the street would need to be widened.

**Mr. Preston** said the street right-of-way would come to the property line. There would be approximately 30 feet of asphalt which would widen to the curb.

**Chairman Ritz** asked how the detention basin would be designed.

**Jerry Preston** said the detention basin would be a grass area that would be maintained for visitor use.

**Jim Talbot** asked why there needed to be a berm in the area when other future areas in south Farmington did not have a berm.

**David Petersen** said hopefully all future developments south of the Lagoon billboard will have a berm with a sound wall when these properties develop.

In response to a question, **Jerry Preston** said Paul Hirst recommended that the development not access 200 East. Horrocks Engineers was conducting a study to determine if it would be a viable option. A trail would be included in the development so pedestrian access would be available to 200 East.

**David Petersen** said he met with the surrounding neighbors who stated they did not want a 200 East connection.

**Chairman Ritz** suggested that the developer consider preserving the old Rice home.

**Jerry Preston** said the Rice home is located in Phase 6 which is not part of the portion of the development now under consideration.

### **Public Hearing Closed**

With no further comments, **Chairman Ritz** closed the public hearing.

### **Motion**

**Jim Talbot** moved that the Planning Commission approve the preliminary plat for the Rice Farms Estates PUD, Phase 2 and 3 subject to all applicable development standards and the following:

1. Berms for a future sound wall along the frontage road are shown.
2. Review and approval of improvement drawings, including grading and drainage plan and storm water pollution prevention plan by the City Engineer, Planning Department, Fire Department, Public Works, FAPID and CDSCD.
3. All concerns of City departments and utilities are addressed.
4. The development must comply with all conditions of schematic plan and preliminary development plan approval.
5. The applicant must obtain a flood control permit from the County. If a permit is not needed, the applicant shall obtain a letter from the County stating the property is not located in a flood zone.
6. Adhere to landscaping plan, including street trees as shown.

**Cindy Roybal** seconded the motion, which passed by unanimous vote.

### **Findings**

- The development fits the zoning for the area.
- The developer did not receive bonuses.
- The development meets the City's requirements.
- The development is consistent with the Preliminary Development Plan.

### **FARMINGTON CITY - RECONSIDERATION OF A MOTION GRANTING PRELIMINARY PLAT APPROVAL FOR THE FARMINGTON MEADOWS SUBDIVISION CONSISTING OF 68 LOTS ON 36.61 ACRES LOCATED AT APPROXIMATELY 2000 WEST 400 NORTH IN AN AE ZONE (S-23-05) (Agenda Item #4)**

### **Background Information**

At one time, large portions of the property were wetlands. Over the last two years, the developer has been working with the wetlands specialist to drain the property, apparently consistent with rules and regulations of the U.S. Army Corp of Engineers. The developer now says there are very few, if any, wetlands left on the property. However, the City has not seen this documentation, nor has it been approved by the U.S. Army Corp of Engineers. In the event the Corp does not accept the delineation, it is possible that a yield plan for the property in conjunction with a delineation that is acceptable to the Corp will result in a dramatic decrease in the total number of lots possible for the given preliminary plat.

The preliminary plat is also different than the schematic plan which was approved as part of the rezone application for the property.

END OF PACKET MATERIAL.

**David Petersen** referred to a letter addressed to Dick Moffat that was dated October 6, 2005.

The letter listed the eight conditions that were required for the developer to receive preliminary plat approval. A condition relating to the wetlands needed to be added to the list of conditions. He displayed a Vicinity Map and Yield Plan for the area. Maps and previous information received from the developer indicate that a large portion of the property is wet. Since the information was gathered, the gates that contained the irrigation waters have been opened. A study is being conducted to determine whether wetlands still exist on the property, after allowing the water ample time to dry.

**Dick Moffat** said the wetland study was complete. Their engineers submitted a report to the Army Corp of Engineers stating wetlands do not exist on the property. He is waiting for a response from the Army Corp.

### **Motion**

**Cindy Roybal** moved that the Planning Commission reconsider preliminary plat approval for the Farmington Meadows Subdivision. **Annie Hedberg** seconded the motion, which passed by unanimous vote.

The Planning Commission requested that developers meet their development requirements prior to requesting approval from the Planning Commission.

**Dick Moffat** said he understood that the City needed to reconsider preliminary plat approval. However, some of the conditions could only be met concurrently with final plat approval.

**Cindy Roybal** said the Planning Commission should uphold their decision to allow preliminary plat for the Farmington Meadows subdivision. In the future, the number of conditions allowed could be limited.

### **Motion**

**Cindy Roybal** moved that the Planning Commission amend the motion for preliminary plat granted on September 29, 2005, by adding the following condition:

If the wetland delineation approved by the U.S. Army Corp of Engineers for the property results in a decrease in the total number of lots on the subdivision yield plan, hence on the preliminary plat, then the preliminary plat shall be null and void and the

applicant must submit another application for reconsideration of the same.

**Keith Klundt** seconded the motion, which passed by unanimous vote.

### **Findings**

- A substantial piece of ground near the Lake will be preserved.
- The subdivision was consistent with other subdivisions in the area.
- The developer has complied with all City ordinances.

### **PUBLIC HEARING: JEFF SMITH - APPLICANT IS REQUESTING CONDITIONAL USE AND SITE PLAN APPROVAL TO DEVELOP SELF STORAGE UNITS AND AN ACCESSORY LIVING QUARTERS ON 3.3 ACRES LOCATED AT APPROXIMATELY 325 WEST 1050 SOUTH WEST OF THE UNION PACIFIC RAILROAD TRACKS AND SOUTH OF GLOVERS LAND (C-16-05) (Agenda Item #5)**

### **Background Information**

The City Council “rezoned” the property subject to a condition that the property owner dedicate a public right-of-way the entire length of the east side of the property. To date, the public right-of-way has not been dedicated, therefore, the property is still zoned AE (Agriculture Estates) and not LM&B (Light Manufacturing and Business). The storage rental units and accessory living quarter uses are not allowed in the Agriculture Estates zone. Any motion for approval should include the condition that the property owner dedicate the right-of-way and thereafter the property will automatically be zoned LM&B.

END OF PACKET MATERIAL.

**David Petersen** displayed a Vicinity Map. Jeff Smith proposes to construct a storage unit facility on 3.3 acres. Two years ago, the property owner received approval to have the property rezoned “LM&B”. The rezone included a condition that the property owner would dedicate a 47 foot public right of way. To date, Mr. Hardy has not dedicated the right of way so the property remains AE, which would not allow for storage units or living quarters. Warranty Deeds are being drafted and should be recorded soon. Mr. Petersen reviewed the six conditions that were included as part of the motion. He said the storage units and living quarters would be similar to the Pack’s storage units.

**Jim Talbot** asked who would fund the paved access way from Glovers Lane.

**David Petersen** said the applicant would provide the asphalt required by the Fire Chief concurrent with the building permit.

## **Public Hearing**

**Chairman Ritz** opened the meeting to a public hearing.

**Brad Pack** (580 East 400 North, Bountiful) said he owns the property adjacent to the subject property and the existing storage unit facility in the area. He asked how the water and storm drainage would be handled. His property had incurred subsurface drainage since the previous owner had built ponds and had left the Weber water flowing. He was also interested in exploring road extension possibilities.

**Jeff Smith** said he had reviewed the drainage options with Paul Hirst. It was proposed that a 100 year detention be created in the front portion of the property that would discharge at the same rate as it has over the past 1,000 years. He said he is willing to work with Mr. Pack to extend the road.

## **Public Hearing Closed**

With no further comments, **Chairman Ritz** closed the public hearing. The Commission members discussed the issues, including the following points:

**David Petersen** said the zoning would not take place until the right of way was dedicated. The ordinance was approved two years ago and did not include a time limit. Presently, the property is zoned AE on the City's zoning map.

## **Motion**

**Keith Klundt** moved that the Planning Commission grant conditional use approval subject to all applicable Farmington City development standards and ordinances and the following conditions:

1. The property owner shall dedicate to Farmington City a public right-of-way approximately 47 feet in width, running from Glovers Lane to the property presently owned by Darrell D. Pack Trust and identified by the Davis County Tax I.D. #08-080-0062. The right-of-way shall be dedicated prior to consideration of site plan approval by the Planning Commission.
2. The applicant must receive site plan approval from the City. The site plan shall include but not be limited to the following:
  - a. Architectural plans.
  - b. A landscape plan.

- c. A lighting plan.
  - d. Sign plans.
  - e. Grading and drainage plan.
  - f. Transportation and circulation plan.
  - g. Water and sewer plans.
  - h. All other standards and requirements as set forth in Chapter 7 of the Zoning Ordinance.
3. All conditions of site plan approval shall also become conditions of the conditional use permit.
4. The applicant must meet all requirements of the Fire Marshal, including a paved access way from Glovers Lane, an acceptable turn-around area for fire trucks and fire hydrants, as approved by the Fire Department.
5. The applicant shall enter into an extension agreement with the City whereby he agrees to provide improvements in the future as determined by the City for those portions of right-of-way abutting the property; including but not limited to underground utilities, storm water facilities, curb, gutter, sidewalk, and asphalt paving.
6. The applicant shall prepare a soils report consistent with City standards. All development on the property shall meet the requirements of the soils report.

**Cindy Roybal** seconded the motion, which passed by unanimous vote.

### **Findings**

- The zoning is appropriate for the area.
- The development complies with the City's Master Plan for the area.

### **MISCELLANEOUS (Agenda Item #6)**

**Jim Talbot** said the City's trails are not being maintained after equestrian use. He asked that the Trails Committee find a solution to the problem.

### **STUDY SESSION**

The Planning Commission discussed the Village at Old Farm. There were concerns expressed that the developer added two buildings to the development, as well as some two story buildings.



The Planning Commission discussed the Woodside Homes development and considered whether allowing high density housing was an appropriate exchange for the Legacy North flyover.

[Paul Barker arrived at 7:00 P.M.]

**PUBLIC HEARING: FARMINGTON CITY - APPLICANT IS REQUESTING A RECOMMENDATION REGARDING PROPOSED AMENDMENTS TO THE MASTER TRANSPORTATION PLAN (MTP), AN ELEMENT OF THE CITY'S GENERAL PLAN (MP-2-05) (Agenda Item #7)**

**Background Information**

The bound draft copy of the Master Transportation Plan that was distributed to the Planning Commission Members represents the efforts of City Staff, Horrocks Engineers, members of the Planning Commission, the Mayor and City Council. Horrocks Engineers will be present to provide a brief presentation and receive comments from the Planning Commission and the public.

END OF PACKET MATERIAL.

**Ron Mortimer** displayed the City's General Map. He said there could be a possibility of creating an at-grade intersection on Main Street when Legacy Highway is constructed. The intersection would be a candidate for a roundabout if the at-grade intersection is not feasible. He reviewed the following text modifications:

- Figure 11-4 refers to the first Farmington interchange that would maintain the Frontage Road system along freeway. It would be created in conjunction with the I-15 project.
- Figure 11-5: The text was altered to read "chokers" rather than "chicanes".

**Mr. Mortimer** said the North Legacy concept would not access Shepard Lane. It would be a one directional flyover system. The freeway entrance would allow for weaving to occur without congesting the lanes of the freeway. Upon completion of the ramp systems, any of the southbound freeways could be accessed. The Park Lane and Legacy exits will be two separate exits.

**Jim Talbot** suggested that adequate signage be provided to assist motorists in finding the on-ramp location.

**Cindy Roybal** asked if the corridor to the west would be preserved by other cities.

**Ron Mortimer** said Kaysville was also committed to preserving the corridor since any room to tie into the system was taken by Commuter Rail. The corridor was a UDOT project, but still needed to be preserved.

**Chairman Ritz** asked if the jug handles of the proposed Legacy North would have on and off access.

**Ron Mortimer** said the jug handles would have on and off access. UDOT suggested that the highest possible grade be preserved. The minimum would be an at-grade intersection.

**Chairman Ritz** asked if Legacy Highway was designed as an expressway or similar to the Bangerter Highway.

**Ron Mortimer** said UDOT asked that the area be preserved for either alternative.

### **Public Hearing**

**Chairman Ritz** opened the meeting to a public hearing.

**Anne Martinez** (630 Ramsgate Road) represented the Trails Committee. She suggested that the trails be included in the City's Master Plan and Transportation Plan to provide a broader base for funding.

### **Public Hearing Closed**

With no further comments, **Chairman Ritz** closed the public hearing. The Commission members discussed the issues, including the following points:

**Ron Mortimer** said it was important to have the trails included in the Master Plan to assist with funding. The trails are included in the City's plans and are specific, but not limiting.

**Keith Klundt** referred to page 2-3 which stated that intersection confusion needed to be minimized. He said the intersection at Park Lane and Clark Lane was confusing to motorists. He felt immediate action was needed.

**Mr. Mortimer** said studies of the intersection had been done. The results could be given to the Planning Commission members. The Park Lane/Clark Lane intersection and Highway 89 intersection are under UDOT's jurisdiction.

**David Petersen** said the Farmington Police Department has received numerous complaints about the intersections. They have advised UDOT of the complaints.

**Keith Klundt** said it was important to **Kevin Poff**, as well as the other Commissioners, that adequate access points be provided for west bound Park Lane to prevent negative traffic impacts. He asked why Figure 6-3 showed the BRT alignment on 200 East.

**Ron Mortimer** said the 200 East alignment was recommended by Wasatch Front Regional Council.

The Planning Commission agreed that the Frontage Road alignment should be shown rather than the 200 East alignment.

**Keith Klundt** referred to the second sentence on page 2-11. He felt the statement was biased and gave a suggestion as to how the sentence could be rewritten. The Planning Commission agreed the statement should be rewritten as proposed by **Commissioner Klundt**.

**Mr. Klundt** referred to section 2.51 which stated that a balanced transportation system should be provided. He said the first goal should be to provide adequate infrastructure to support the resident's transportation choice.

**Cindy Roybal** said the City is not "walkable" and there are many trails near interchanges that she would not allow her children to ride their bikes on.

**Ron Mortimer** said the text could be written to protect both goals.

**Chairman Ritz** asked where the major collector that would parallel BRT would be located.

**Ron Mortimer** said the collector would be located on the back side of BRT. The collector was discussed on page 11-1.

**Anne Martinez** said the public's opinion has changed over the past fifteen years and many people prefer public transportation.

**Paul Barker** agreed that all modes of transportation should be considered because opinions evolve.

### **Motion**

**Cindy Roybal** moved that the Planning Commission recommend the Master Transportation Plan update with changes as noted by the Commission. **Keith Klundt** seconded the motion, which passed by unanimous vote.

**PUBLIC HEARING: WOODSIDE HOMES - APPLICANT IS REQUESTING A RECOMMENDATION FOR A ZONE CHANGE ON APPROXIMATELY 106.6431 ACRES OF PROPERTY LOCATED WEST OF I-15 AND 1525 WEST STREET, NORTH OF BURKE LANE, EAST OF THE OLD D.R. & G.W.R.R. RIGHT-OF-WAY, AND SOUTH OF SHEPARD LANE FROM A TO R-4 (PUD), AND A RECOMMENDATION FOR SCHEMATIC PLAN APPROVAL FOR A DEVELOPMENT RELATED THERETO (Z-8-05) (Agenda Item #8)**

**Background Information**

The City Council can approve a zone change without schematic plan approval. However, in the past the Planning Commission has been reluctant to offer a recommendation for a rezone until they are comfortable with the providing a recommendation for a related schematic or concept plan. Woodside Homes, the applicant, has provided a concept plan which does not adequately address the following:

1. The layout of the road leading south out of the development is not designed appropriately to accommodate the major collector as shown on Farmington City's Master Transportation Plan.
2. How will wetlands affect the property? The developer has not provided a wetlands delineation for review and approval by the U.S. Army Corp of Engineers. Will the wetlands be located in such a way to affect the overall number of lots in the development.
3. Should the developer plan for a Bangerter Highway-type facility for Legacy North or a freeway-type facility? The later scenario will require much more right-of-way than the former, which will also dramatically affect the number of lots and/or the type of housing proposed by the developer.

END OF PACKET MATERIAL.

**Annie Hedberg** was recused from the discussion to avoid a possible conflict of interest.

**David Petersen** displayed a zoning map for The Cottages and outlined the property lines. In January, 2004, the Planning Commission recommended that the property be zoned AE. The City Council zoned 76 acres of the property as AE and the remaining 31 acres remain zone A. The Legacy North Highway corridor will run through the center of the property. Woodside Homes is willing to grant UDOT the right of way, if the subdivision is approved for higher density. The subdivision's current plan would require R-4 zoning. He reviewed the Concept Plan which included 556 units. The Planning Commission was asked to consider whether the density was compatible for

the area and whether the right of way exchange was acceptable. He reviewed the three items listed in the “Background Information”.

### **Public Hearing**

**Chairman Ritz** opened the meeting to a public hearing and invited the applicant to address the Commission.

**Thayne Smith** said Woodside Homes was requesting a zone change for following reasons:

- Accommodate Legacy Highway and the City’s needs.
- Provide appropriate housing types for existing constraints
- Alternative to re-zone is to build homes on all parts of property due to significant interest carrying costs.

He said the Cottages at Station Park was a first class, master planned community which would provide appropriate housing for various lifestyles and needs. The community would include parks, trails, pool, club house, and a Home Owners Association. The City’s water feature will also be accommodated.

**Mr. Smith** reviewed the development map, the housing type locations, and the road layouts. If the flyover were approved, it would be 30' high which would make the area an undesirable location for housing. He reviewed the following housing types and features:

The *Cottage Architecture* would include front porches, vibrant colors, and alley loaded garages. The *Mansion Homes* would include three dwelling units ranging in size from 1,000-1,900 square feet and would have individual garages. The *Row Housing* would be similar to Farmington Crossing. They would include four to six units per structure, open space and a common area. The units would not be sold directly to investors.

**Mr. Smith** concluded with the following statements:

- Woodside Homes could be part of the solution to traffic problems by preserving the corridor for Legacy Highway and providing connectivity from west Farmington and west Kaysville to Station Park.
- Woodside Homes requested conditional zone change approval (cap of 556 units) without a clause to revert and a commitment by Commissioners to support the development through final plat.
- Woodside Homes is committed to work with Farmington City for the best possible solution.

**Craig Petersen** (Petersen Consulting) said a significant amount of money has been spent on interest so they need to move forward with the project. Woodside Homes can progress with the existing zoning but Legacy Parkway will not be accommodated. He asked that a decision be made that would plan for the future and preserve corridors.

**Anne Martinez** (630 Ramsgate Road) said she was a representative for the Trails Committee. She said the plan should have included a trail on the north side of the creek.

**David Petersen** said the trail would be located either to the north or south side of the creek.

**Anne Martinez** asked that a “loop trail” be included around the community. She was concerned that the City has made compromises that mitigate or destroy wetlands. She was supportive of affordable housing but felt it should be made more attractive.

**Kyle Stowell** (1764 West Burke Lane) did not think the surrounding residents would approve of the development’s high density or style of housing. He felt larger lots were more appropriate for the area. He was concerned since his dead-end street had become a through street and that property adjacent to his home was likely to be developed with apartment buildings.

**Dave Dixon** (1047 North 100 West) said he was offended by the density that was being proposed in exchange for a road way. He did not think it was a fair compromise.

### **Public Hearing Closed**

With no further comments, **Chairman Ritz** closed the public hearing. The Commission members discussed the issues, including the following points:

**Cindy Roybal** told **Mr. Stowell** that the Planning Commission had been strict regarding density on the west side. Woodside Homes lowered their density request several times over the last few years. She asked if the Legacy North flyover was constructed on stilts or on fill.

**Ron Mortimer** said the flyover would be constructed on fill and would be a very large footprint.

The Planning Commission discussed the density of other developments within the City. Fieldstone was close to 5 units per acre. The Fairways at Oakridge was approximately 5 units per acre. Garbett Homes was 12-13 units per acre. Woodside Home’s development would have 556 units on 109 lots. The density would be 5.5 units per acre.

**David Petersen** said if the entire development were zoned AE, the Concept Plan may include 202 units, which would equate to 350 additional units in exchange for 8.4 acres of Legacy North

right of way. Mark Johnson, a consultant for the City, suggested measuring 600 feet from the proposed right of way and allowing an R-4 density, leaving the rest of the area as AE. It would decrease the units by 110. **Mr. Petersen** suggested exchanging a more attractive home design and a lower density for the higher density along the corridor. He was concerned that if the entire parcel were rezoned R-4 and Woodside Homes did not develop the property, a higher density development would be done. He did not understand the purpose for positioning units along the Rio Grande railroad tracks.

**Cindy Roybal** said a natural berm exists along the freeway that could be enhanced to provide a nicer unit style along the railroad. She said she was not comfortable with the proposed plan and would like to find a “middle ground”.

**Thayne Smith** said Woodside Homes is requesting a zone change, not final plat approval. They are willing to work through the issues, including the unit types. They did not intend to increase the density if the entire property were zoned R-4. They would be willing to accept an R4/AE zoning with a proposed a cap of 556 units. They are sensitive to the wetlands issues and are willing to mitigate, if necessary. A wetlands study is being reviewed by the Army Corp of Engineers.

**Jim Talbot** expressed the following concerns;

- There is only open space near the creek.
- He does not think it is appropriate to exchange higher density for UDOT’s right of way since Woodside Homes is being compensated by UDOT.
- There are many developments in the area with smaller units. He would like supply and demand to be preserved.

**Keith Klundt** said it should not be the burden of the developer or the City to preserve the maximum corridor. He suggested preserving right of way for an at-grade intersection only at the major collector.

**Paul Barker** asked if Woodside Homes was willing to accept the following motion, which was suggested by Staff:

*A recommendation be given to the City Council to approve the rezone portion of the application subject to the condition that if a schematic plan acceptable to the city is not approved within 12 months, then the property will revert back to the existing zone.*

**Thayne Smith** said Woodside Homes was not willing to accept a clause to revert. They are willing to make compromises but would like the City to commit to the development of the subdivision.

**Chairman Ritz** said if the Planning Commission were willing to recommend a zone change with a revert clause, it would be a commitment to the project. If Woodside Homes planned to proceed with the project, it would not take 12 months to prepare a schematic plan. He felt the zoning should be R4 around the transit corridor. The remaining property should be zoned AE. He also suggested zoning a portion of the property R4 and the remaining portion LR.

**Thayne Smith** said a transition needed to exist for the larger homes.

**Chairman Ritz** said developments exist that are AE based but do not have ½ acre lots due to open space contributions.

**David Petersen** said the region needs a connection. The City and the developer both need to compromise. The development would not have to be strictly a conventional or conservation subdivision under an AE zone. If the open space requirements were decreased, the units would need to have superior design.

**Thayne Smith** said the development had open spaces near the creek area and within the mansion homes.

**Jim Talbot** said the Planning Commission would require more open space from other developers. All issues should be considered, not just the corridor preservation.

**Keith Klundt** suggested an R4 designation to provide a buffer for the corridor. An LR zone could be considered for the area outside of the R4 corridor. AE and PUD zones could also be considered.

### **Motion**

**Keith Klundt** moved that the Planning Commission table the application until the developer prepares a schematic plan acceptable to the Planning Commission. **Paul Barker** seconded the motion. The motion passed by unanimous vote. **Annie Hedberg** abstained from the vote.

The Planning Commission recessed at 9:00 P.M. and reconvened at 9:05 P.M.

**PUBLIC HEARING: GARDNER/GUST OLD FARM, LLC - APPLICANT IS REQUESTING A RECOMMENDATION FOR ZONE CHANGE ON APPROXIMATELY 33.955 ACRES OF PROPERTY LOCATED WEST OF MAIN STREET, EAST OF U.S. 89, SOUTH OF THE CHERRY HILL INTERCHANGE, AND NORTH OF THE OLD SHEPARD CREEK ESTATES AND OLD SHEPARD COMMONS SUBDIVISIONS FROM LR, LS AND A TO NMU, AND A RECOMMENDATION FOR SCHEMATIC PLAN APPROVAL FOR A DEVELOPMENT RELATED THERETO (Z-7-05) (Agenda Item #9)**



**Background Information**

On September 7, 2005, the City Council adopted an ordinance enacting Chapter 20 of the Zoning Ordinance title “Neighborhood Mixed Use” (NMU) zone. At the request of the developer, it is proposed the City consider site plan approval and the rezone concurrently. After receiving input and comments from the public, and if the Planning Commission is willing to begin te process as proposed, the Commission should first resolve the following issues before more detail is provided by the applicant:

1. Does the proposed development meet the definition of a planned center development (Section 11-20-030 (b))?
2. Does the proposed development warrant impact analysis studies as set forth in Section 11-20-050?
3. What is the proposed use for the historic Potter home?
4. Should the developer (with the approval of the City) establish 900 West as another point of access into the development?
5. Is a zero-lot line credit union proposal an acceptable request?
6. Is the proposed initial architectural design for the project headed in the right direction?

END OF PACKET MATERIAL.

**David Petersen** said the developer requested that the zone change not take effect unless the Site Plan approval was granted. He reviewed the six items listed in the “Background Information” that needed to be resolved. The Planning Commission would also need to consider whether 900 West homes should be purchased if the applicant provides a connection to 900 West.

**Public Hearing**

**Chairman Ritz** opened the meeting to a public hearing and invited the applicant to address the Commission.

**David Dixon** (1047 North 100 West) said his group conducted a survey at their open house to determine if the residents preferred the property be used for single family housing, multi-family housing, mixed-use, or a more intense commercial use. Seventy percent of the residents were in favor of a

mixed-use development. While determining how intense the mixed-use should be, they considered the following objectives:

- Preserve and enhance the character of Main Street. The road should be improved by including a roundabout, widening the road to allow for a center turn lane and bicycle lanes, a signalized intersection at Somerset, and pushing the roadway further to the west. Main Street should only have residential development.
- Prepare a proper transition for Highway 89. Large scale buildings should be located along highway 89. Smaller scale internal buildings should not exceed 7,500 square feet. Mansion style homes with a buffer or rock wall should be used to separate the uses.
- Design something that is unique. Buildings were designed to resemble Farmington's historic structures that were shown in Glen Leonard's old photos.

They have exceeded their landscaping requirements and parking space requirements. Signage restrictions have been created and 1 acre has been dedicated for a public gathering place.

**Mr. Dixon** said the following changes were made to the Plan: the building size was reduced to 10,000 square feet; an attached credit union was added which would make the grocery store appear smaller; Main Street parking was limited to one row; there are fewer buildings on the east side of the development; the development's total square footage is 203,000 square feet, the office buildings may or may not have a second story.

The landscape drawings, traffic studies and economic analysis are ready to be submitted to the City.

**Rulon Gardner** said they would like input regarding the building architecture and also as to what the focal point of the gathering area should be. They continue to work with the FAPID regarding a water line.

**Dave Dixon** said he would like to respect the wishes of the 900 West residents. He will not promote the road if the residents do not want the road.

**Paul Barker** asked what was planned for the old Potter home.

**David Dixon** said they would like the home to be preserved and were open to suggestions.

**Drew Neil** (1454 North 900 West) lives on 900 West. He said 900 West is a narrow street that was constructed to serve the six homes on the street. It could not handle the type of traffic that Harmon's would generate. The majority of the 900 West residents would prefer to relocate if the road were connected. If the road is not connected, he asked that the loading zones for Harmons be

located on the north side to prevent a negative sound impact. He also asked that hours of operation be specified to prevent skate boarding in the area.

**Dorene Poulsen** said she was concerned there was not an adequate water supply to support Harmon's fire sprinkler system. She said the area was only supported by a 14" water line. She asked if an access application had been submitted to UDOT.

**David Dixon** said the application was prepared but had not yet been submitted to UDOT.

**Patricia Anderson** (671 Somerset Street) said the development was progressing in a positive manner. Ingress and egress issues still needed to be resolved. She asked where the delivery trucks would access the property.

**Jamie Patterson** (1432 North 900 West) said 900 West was designed as a residential street and could not handle the retail traffic. He was also concerned about the water drainage and what would become of the old Potter home. He would like to relocate if 900 West becomes a through street.

**Richard Potter** (80 North 300 East, Mallad, Idaho) said he owns property in the area. He felt the development was a benefit to the community. He said although he was born and raised in the old Potter home, he did not think it was a historic site. He felt the integrity of Main Street had been changed by UDOT. The Pilcher property has become an on/off ramp that would not be a good housing location. He suggested incorporating a portion of Main Street in the NMU zone. He did not think the two -story buildings would affect the views of the Somerset residents.

**Harv Jeppson** said he was appreciative to the Planning Commission and the individuals who endured the long process.

**Don Leonard** (715 West Leonard Lane) said his family was not willing to grant control of their property to the developer until the development met their standards. The development now exceeds his standards, as well as the City's requirements. His father was willing to sell the property to better the community. He asked that the process be expedited so his father could see the final project.

**Carly Neil** (1454 North 900 West) said the plan was progressing in a positive manner but she felt Schematic Plan approval should be withheld until the access issues were resolved. She felt the store should be relocated to avoid traffic issues for the nearby residents. She asked that 900 West be provided with signage stating it is a dead-end street, if the road is not connected.

**Matt Bess** (1422 North 900 West ) said he was comfortable with the proposed development. He felt 900 West should remain a dead-end street. He was also concerned about the drainage issues.

**Anne Martinez** (630 Ramsgate Road) said she likes the proposed development and the historical nature of the buildings. She suggested that the ditch have an interpretative design stating it's use. She suggested that the open space be used for a children's play area. She felt something should be done to create a barrier for the Somerset Road residents. She recommended that Harmon's be located on the north side of the development so the delivery trucks could access the development from Highway 89.

### **Public Hearing Closed**

With no further comments, **Chairman Ritz** closed the public hearing.

**David Dixon** said the grocery store was going to be located on the north end of the development until it was discovered that the grading drops 50' in elevation which would make it too steep for a grocery store parking lot. He said a building with a water wheel would handle the drainage and other spring water in the area.

**Chairman Ritz** asked where the 900 West drainage water was coming from.

**David Petersen** said the City will work with UDOT to correct the storm water issues. FAPID will allow them to relocate the water line during the proper season.

**Dave Potter** (1745 North Main) said the drainage is coming from a retention pond that runs on UDOT's right of way. It accesses the bottom of their field and goes under Highway 89. There is also spring water from Somerset that goes through a 14" pipe and into a 18" pipe that runs into the field. The rest of the drainage is irrigation water that used to be the old Shepard Creek channel. Somerset's water goes to the original channel. The City's pipe was never connected to drain under Highway 89.

**Rulon Gardner** said he has met with the City Engineer on two occasions. The storm water issues would be resolved.

**David Dixon** said UDOT would like a 400' deceleration lane and a 750' acceleration lane. There will be approximately 2,000 feet before the development's traffic merges with Highway 89.

If UDOT only allowed one access point, it would be located in the middle of the development, which would accommodate the delivery trucks. He does not want to have to resubmit applications to UDOT so he does not plan to submit the application until he is sure it is ready.

**Jim Talbot** said the location of the loading dock should be shown on the plan. He felt two story buildings along Highway 89 was inappropriate. He said the developer initially said the building square footage would be limited to 10,000 square feet, but adding the two story buildings increased the building size to 20,000 square feet. He suggested that the credit union be located in

Building C since most grocery store banks are not 4,000 square feet. He was also concerned that the developer did not mention that two buildings were added along Highway 89.

**David Dixon** said the building sizes were decreased so they compensated by adding buildings. The development was still 20,000 square feet less than originally planned. He said two story buildings would provide a buffer to Highway 89 and would reduce the sound.

**Keith** said the development met the definition of a planned center development and it warranted impact analysis studies. He did not have a recommendation for the Potter home or the open area. He felt it was better to locate the credit union in the grocery store rather than as a free standing building. He said the development was an asset to the community since it would bring added safety protection and a bicycle trail. He recommended that the developer work with the 900 West residents to resolve road issues.

**Cindy Roybal** recommended that 900 West be closed off. She was impressed with the development's design and loved the reflection of Farmington's heritage. She felt the zero-lot line credit union proposal was unacceptable. She was concerned with the access to the development and suggested that it be resolved with UDOT. She was in favor of preserving the Potter home since it would enhance the area. She recommended that the only two-story building in the development be the bell tower.

**Annie Hedberg** said she was pleased with the overall plan. The developer seemed to be resolving the necessary issues. She would like the Potter home to be preserved since it would maintain part of Farmington's heritage. She felt the two-story buildings added to the character of the development.

**Paul Barker** said he was not opposed to the two story office buildings since they also exist on the west side of the freeway. He was concerned about the City having two grocery stores located in such a close proximity. He recommended that the access issues be resolved as soon as possible. He did not think the home preservation should be enforced. He recommended that the credit union be located in the grocery store.

**Keith Klundt** asked how the Frontage Road deceleration would be designed.

**David Dixon** said it would be a two lane road that would condense down to one.

**Jim Talbot** suggested that the developers apply for both a right in and right out.

[Kevin Poff arrived at 10:35 P.M.]

**David Petersen** reviewed the options for the future hearings and approvals. After the final development plan, there is a final plat that will be reviewed by the Planning Commission and will need to be approved by the City Council. The final plat approval would be for a mixed-use. He asked if the Commission was comfortable recommending the development and zoning to the City Council or if they would like the development to be reconfigured. He said the subdivision could be made part of the development agreement.

**David Dixon** said they would appreciate as much input as possible from the Planning Commission. He requested that a recommendation for approval be sent to the City Council.

**Jim Talbot** said the majority of the input received was positive but the 900 West road issue needed to be resolved.

The Planning Commission agreed that the key issues could be included in the motion and that public input could be received at the City Council meeting. It was agreed that all of the items listed in the "Background Information" were resolved except for the use of the Potter home.

### **Motion**

**Jim Talbot** moved that the Planning Commission *recommend a zone change from LR, LS, and A to NMU, also recommend schematic plan approval based on the discussions noted regarding Items 1-6. The developer and 900 West residents shall meet to find a solution for 900 West Street. The Planning Commission recommended that 900 West be left as a dead-end street.* **Keith Klundt** seconded the motion, which passed by unanimous vote. **Kevin Poff** abstained since he was not present for the entire discussion.

### **Findings**

- The development is consistent with the City's Master Plan for the area.
- The development is consistent with the NMU zone.
- The proposed plan responds to the concerns given by the community.
- The development provides infrastructure improvement which will be paid by the developer.

### **Motion**

**Keith Klundt** moved that the Planning Commission reopen Agenda Item #7 to add the following recommendation to the motion:

*The Planning Commission recommends that the Legacy Highway North corridor be the minimal design for an at-grade intersection.*

**Jim Talbot** seconded the motion, which passed by unanimous vote.

**ADJOURNMENT**

**Annie Hedberg** moved that the Planning Commission adjourn at 11:00 P.M.

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*Cory Ritz, Chairman*  
*Farmington City Planning Commission*